

JB 12C
Rev 2/0312/22/04
Rec'd
JEP**United States District Court**

for

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Southern District of Ohio**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: **Steven Montgomery**: 1502 Sleepy Hollow
3, Park Hills, KY 41011 Case Number: **1:01CR00055-012**

Name of Sentencing Judicial Officer: **The Honorable Herman J. Weber, United States District Judge**

Date of Original Sentence: **March 11, 2002**

Original Offense: **Marijuana Distribution , a Class D Felony.**

Original Sentence: **30 month(s) prison, 24 month(s) supervised release**

Type of Supervision: **Supervised Release**

Date Supervision Commenced: **December 22, 2004**

Assistant U.S. Attorney: **Robert C. Brichler**

Defense Attorney: **John T. Keller**

PETITIONING THE COURT

- ☐ To issue a warrant
☒ To issue a summons
☐ To grant an exception to revocation without a hearing.

The probation officer finds, under penalty of perjury, that probable cause to believe the defendant has violated one or more conditions of supervision exists:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1	Condition # 7: You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician; On September 23, October 22, November 4, and December 7 of 2004 the defendant tested positive for Marijuana. On December 17, 2004 he admitted to his USPO that he had used Marijuana 7 days prior to December 17, 2004.


U.S. Probation Officer Recommendation: The offender continues to use Marijuana regularly despite the efforts of his USPO to assist him to stop. The offender has a good job and reports as required. Therefore a summons is requested and an OR bond is recommended in this case.

The term of supervision should be

- ☒ Revoked.
☐ Extended for years, for a total term of years.
☐ Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)
☐ The conditions of supervision should be modified as follows:


Respectfully submitted,

by


John A. D'Alessandro
U.S. Probation Officer
Date: December 22, 2004

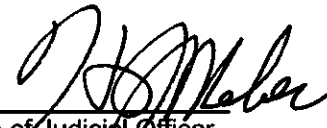
Approved,

by


Supervising U.S. Probation Officer
Date: December 22, 2004

THE COURT ORDERS:

- ☐ No Action
- ☐ The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the issuance of a Warrant for his/her arrest.
- ☒ The Issuance of a Summons
- ☐ The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
- ☐ Other


Signature of Judicial Officer


Date